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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,322	11/14/2003	Brian A. Hamman	QNX003	5104
7590		11/17/2005	EXAMINER	
PATENT DOMININ LP		VORTMAN, ANATOLY		
555 REPUBLIC DRIVE		ART UNIT		
SUITE 200		PAPER NUMBER		
PLANO, TX 75074		2835		

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/715,322	11/14/03	Hamman	QNX 003

EXAMINER
Anatoly Vortman

ART UNIT	PAPER
2835	1105

DATE MAILED:

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Commissioner for Patents

Notice of Non-Responsive Amendment

A. Vortman

Anatoly Vortman  
Primary Examiner  
Art Unit: 2835

## DETAILED ACTION

### *Election/Restrictions*

1. The amendment filed on 10/07/05 canceling / amending all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The newly presented claims are not readable on the elected invention because claim 12 as amended does not recite features of Specie II, at least in part, because it lacks the recitation of “a conduit coupled to the hot region” as was required by original claim 12. The claim also does not recite a “liquid cooling system”. The new claims also recite features pertained to non-elected species. For example, claim 19 recites: “a second coolant pathway”, which is not within a scope of the elected Specie II. The Examiner would like to point out, that if Applicant elects a particular invention with specific features and concurrently amends / adds claims, the new claims must include all of the features and be strictly within a scope of the elected claims (i.e. claims 12-15). In the instant situation the new claims do not read on elected invention of Specie II.

Further, contrary to the Applicant’s arguments that “Claim 12 as originally submitted and as currently amended pertain to the use of one electron conducting material element in the heat transfer unit” (see p. 10 of the amendment filed on 10/07/05); the original elected claims 12-15 do not recite any “electron conducting material”.

2. Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is

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longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anatoly Vortman whose telephone number is 571-272-2047. The examiner can normally be reached on Monday-Friday, between 10:00 am and 6:30 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Lynn Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anatoly Vortman  
Primary Examiner  
Art Unit 2835



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